

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

OLLIE GREENE, Individually as the Surviving Parent of WYNDELL GREENE, SR., et al.,	§	
	§	CASE NO.: 3:11-CV-00207-N
	§	
Plaintiffs,	§	
vs.	§	JURY TRIAL DEMANDED
	§	
TOYOTA MOTOR CORPORATION et al.,	§	
	§	
Defendants.	§	

**AGREED MOTION TO DISMISS WITH PREJUDICE  
(PLAINTIFFS AND VOLVO GROUP NORTH AMERICA, LLC)**

Plaintiffs Ollie Greene, Individually as the surviving parent of Wyndell Greene, Sr., William Greene, as the Administrator of the Estate of Wyndell Greene Sr., and Marilyn Burdette Hardeman, Individually and as the surviving parent of LaKeysha Greene (collectively, "Plaintiffs") and defendant Volvo Group North America, LLC f/k/a Volvo Trucks North America, Inc. ("VGNA") file this Agreed Motion to Dismiss With Prejudice, respectfully showing:

1. All matters in controversy as between Plaintiffs and VGNA in this lawsuit have been fully and finally resolved.
2. Accordingly, Plaintiffs and VGNA now move the Court to dismiss all of Plaintiffs' claims and causes of action against VGNA with prejudice to re-filing same. This motion to dismiss encompasses: (1) all claims and causes of action asserted against any "Volvo" entity by Plaintiffs in this lawsuit (including "Volvo Group North America, Inc." and "Volvo Trucks of North America, a Division of Volvo Group North America, Inc." in addition to Volvo Group North America, LLC)

(see Document #'s 26, 34, 113 & 118); and (2) any and all causes of action that were or could have been made by Plaintiffs against the aforementioned "Volvo" entities in the action.

3. Plaintiffs and VGNA are also requesting that the Final Order of Dismissal With Prejudice shall provide that all costs are taxed against the party incurring same, and that Plaintiffs and VGNA shall each bear the cost of their own attorney's fees.

4. Plaintiffs and VGNA request that the Court sign and enter the attached Final Order of Dismissal With Prejudice which is being filed contemporaneously with this agreed motion.

Respectfully submitted,

By: /s/ Aubrey "Nick Pittman  
Aubrey "Nick" Pittman  
State Bar No. 16049750

THE PITTMAN LAW FIRM, P.C.  
100 Crescent Court, Suite 700  
Dallas, Texas 75201-2112  
214-459-3454  
214-853-5912 – fax  
pittman@thepittmanlawfirm.com

By: /s/ Daryl K. Washington  
Daryl K. Washington  
State Bar No. 24013714

LAW OFFICES OF DARYL K. WASHINGTON P.C.  
325 N. St. Paul St., Suite 1975  
Dallas, Texas 75201  
214-880-4883  
214-751-6685 - fax  
dwashington@dwashlawfirm.com

**ATTORNEYS FOR PLAINTIFFS**

By: /s/ Randy R. Howry  
Randy R. Howry  
State Bar No.

HOWRY BREEN & HERMAN, LLP  
1900 Pearl Street  
Austin, Texas 78705  
512-474-7300  
512-474-8557  
Rhowry @ howrybreen.com

**ATTORNEYS FOR VGNA**

**CERTIFICATE OF SERVICE**

I hereby certify that on June 19, 2014, a true and correct copy of the above and foregoing was forwarded to all counsel of record in accordance with the Federal Rules of Civil Procedure by electronic service through the court's ECF system in compliance with Federal Rules of Civil Procedure 5(b)(2)(E) and 5(b)(3).

*/s/ Randy R. Howry* \_\_\_\_\_  
Randy R. Howry